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Rules, Regulations, Orders

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

CHAPTER II—AGRICULTURAL MARKETING SERVICE

PART 204—POSTED STOCKYARDS AND LIVE POULTRY MARKETS

NOTICE RELATIVE TO CAPITOL STOCK YARDS CO., INC., BATON ROUGE, LOUISIANA¹

JUNE 3, 1941.

Whereas in accordance with the provisions of section 302 (b) of the Packers and Stockyards Act, 1921 (7 U.S.C. § 202 (b)), the Secretary of Agriculture posted the stockyard known as the Baton Rouge Union Stock Yards, Baton Rouge, Louisiana, as being subject to the provisions of said act; and

Whereas it appears that said stockyard is now known as Capitol Stock Yards Co., Inc., and is being operated by the Capitol Stock Yards Co., Inc.:

Therefore, it is ordered, That the notice of the posting of said stockyard be, and it hereby is, amended to show that the correct name of the stockyard is Capitol Stock Yards Co., Inc., Baton Rouge, Louisiana.

[SEAL] GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc. 41-3984; Filed, June 4, 1941;
11:24 a. m.]

PART 204—POSTED STOCKYARDS AND LIVE POULTRY MARKETS

NOTICE RELATIVE TO CRAWFORD LIVESTOCK COMMISSION COMPANY, CRAWFORD, NEBRASKA¹

JUNE 3, 1941.

Whereas in accordance with the provisions of section 302 (b) of the Packers and Stockyards Act, 1921 (7 U.S.C.

§ 202 (b)), the Secretary of Agriculture posted the stockyard known as the Crawford Livestock Sales Company, Crawford, Nebraska, as being subject to the provisions of said act; and

Whereas it appears that said stockyard is now known as Crawford Livestock Commission Company, and is being operated by the Crawford Livestock Commission Company:

Therefore, it is ordered, That the notice of the posting of said stockyard be, and it hereby is, amended to show that the correct name of the stockyard is Crawford Livestock Commission Company, Crawford, Nebraska.

[SEAL] GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc. 41-3985; Filed, June 4, 1941;
11:24 a. m.]

PART 204—POSTED STOCKYARDS AND LIVE POULTRY MARKETS

NOTICE RELATIVE TO BILLINGS PUBLIC STOCKYARDS, BILLINGS, MONTANA¹

JUNE 3, 1941.

Whereas in accordance with the provisions of section 302 (b) of the Packers and Stockyards Act, 1921 (7 U.S.C. § 202 (b)), the Secretary of Agriculture posted the stockyard known as the Billings Union Stockyards, Billings, Montana, as being subject to the provisions of said act; and

Whereas it appears that said stockyard is now known as Billings Public Stockyards, and is being operated by the Saint Paul Union Stockyards Company:

Therefore, it is ordered, That the notice of the posting of said stockyard be, and it hereby is, amended to show that the correct name of the stockyard is Billings Public Stockyards, Billings, Montana.

[SEAL] GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc. 41-3986; Filed, June 4, 1941;
11:24 a. m.]

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¹ Modifies list posted stockyards 9 CFR 204.1.



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Correction

Paragraph (b) of § 20.68 appearing on page 2642 of the issue for Friday, May 30, 1941 (F.R. Doc. 41-3844; Filed, May 28, 1941; 3:11 p. m.), is corrected to read as follows:

(b) a properly certificated pilot occupies the other control seat as safety pilot; and

TITLE 16—COMMERCIAL PRACTICES

CHAPTER I—FEDERAL TRADE COMMISSION

[Docket No. 3793]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

IN THE MATTER OF GORDON-GORDON, LTD., ET AL.

§ 3.6 (b) (2) *Advertising falsely or misleadingly—Competitors and their products—Competitors' products:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product:* § 3.6 (x) *Advertising falsely or misleadingly—Results:* § 3.6 (y) *Advertising falsely or misleadingly—Safety:* § 3.6 (y10) *Advertising falsely or misleadingly—Scientific or other relevant facts:* § 3.48 (b) (5) *Disparaging competitors and their products—Goods—Performance:* § 3.48 (b) (9) *Disparaging competitors and their products—Goods—Safety:* § 3.66 (a4) *Misbranding or mislabeling—Competitive products:* § 3.66 (h) *Misbranding or mislabeling—Qualities or properties:* § 3.66 (j10) *Misbranding or mislabeling—Results:* § 3.66 (j15) *Misbranding or mislabeling—Safety:* § 3.66 (j20) *Misbranding or mislabeling—Scientific or other relevant facts.* Representing, directly or indirectly, in connection with offer, etc., in commerce, of respondents' face powder designated "Princess Pat Powder", their preparation variously designated "Muscle Oil" and "Princess Pat Irradiated Muscle Oil", their preparation designated "Skin Cleanser", and their preparation designated "Skin Food Cream" or "Anti-Wrinkle Cream", or any other substantially similar products, (1) that orris root as an ingredient in face powder will clog the pores of the skin or will cause skin irritation and roughness unless such representations are limited to those cases in which the user is allergic to orris root; and (2) that "Princess Pat Powder" is non-allergic to all persons, that the application thereof to the skin will smooth the skin or make it soft or pliant, or that it will prevent coarse pores and blackheads; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Gordon-Gordon, Ltd., et al., Docket 3793, May 16, 1941]

§ 3.6 (n) (2) *Advertising falsely or misleadingly—Nature—Product:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product:* § 3.6 (x) *Advertising falsely or misleadingly—Results:* § 3.66 (d) *Misbranding or mislabeling—Nature:* § 3.66 (h) *Misbranding or mislabeling—Qualities or properties:* § 3.66 (j10) *Misbranding or mislabeling—Results.* Representing, directly or indirectly, in connection with offer, etc., in commerce, of respondents' face powder designated "Princess Pat Powder", their preparation variously designated "Muscle Oil" and "Princess Pat Irradiated Muscle Oil", their preparation designated "Skin Cleanser", and their preparation designated "Skin Food

Cream" or "Anti-Wrinkle Cream", or any other substantially similar products, (1) that the use of respondents' preparation designated as "Muscle Oil" and "Princess Pat Irradiated Muscle Oil", will prevent crow's feet, wrinkles or sagging facial muscles, or that said preparation will penetrate beneath the surface of the skin and beneficially affect the underlying facial muscles; (2) that respondents' preparation "Skin Cleanser" will penetrate beneath the surface of the skin, or that its use will prevent coarse pores, pimples, blackheads, bad complexions, skin eruptions or rough skin texture; and (3) that respondents' preparation "Skin Food Cream" or "Anti-Wrinkle Cream" will nourish or feed the skin, or that it is a tonic for the underlying nerves or will smooth out or prevent lines or wrinkles; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Gordon-Gordon, Ltd., et al., Docket 3793, May 16, 1941]

§ 3.96 (a) (4) *Using misleading name—Goods—Nature.* Using, in connection with offer, etc., in commerce, of respondents' face powder designated "Princess Pat Powder", their preparation variously designated "Muscle Oil" and "Princess Pat Irradiated Muscle Oil", their preparation designated "Skin Cleanser", and their preparation designated "Skin Food Cream" or "Anti-Wrinkle Cream", any designation for their product formerly known as "Skin Food Cream" and as "Anti-Wrinkle Cream" which includes the word "Food", prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Gordon-Gordon, Ltd., et al., Docket 3793, May 16, 1941]

In the Matter of Gordon-Gordon, Ltd., a Corporation, and Princess Pat, Ltd., a Corporation

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of May, A. D. 1941.

This proceeding having been heard¹ by the Federal Trade Commission upon the complaint of the Commission, the answer of respondents, testimony and other evidence taken before Randolph Preston, an examiner of the Commission theretofore duly designated by it, in support of the allegations of said complaint and in opposition thereto, briefs filed herein, and oral arguments by R. P. Bellinger, Counsel for the Commission, and by M. Manning Marcus, Counsel for the respondents, and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondents, Gordon-Gordon, Ltd., a corporation, and Princess Pat, Ltd., a corporation, their officers, representatives, agents and em-

¹ 4 F.R. 4952.

ployees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of their face powder designated "Princess Pat Powder", their preparation variously designated "Muscle Oil" and "Princess Pat Irradiated Muscle Oil," their preparation designated "Skin Cleanser" and their preparation designated "Skin Food Cream" or "Anti-wrinkle Cream," or any products of substantially similar compositions or possessing substantially similar properties, whether sold under the same names or under any other names, in commerce, as commerce is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or indirectly:

1. That orris root as an ingredient in face powder will clog the pores of the skin or will cause skin irritation and roughness unless such representations are limited to those cases in which the user is allergic to orris root.

2. That "Princess Pat Powder" is non-allergic to all persons; that the application of said powder to the skin will smooth the skin, or make the skin soft or pliant, or that it will prevent coarse pores and blackheads.

3. That the use of respondents' preparation designated as "Muscle Oil" and "Princess Pat Irradiated Muscle Oil," will prevent crow's feet, wrinkles or sagging facial muscles or that said preparation will penetrate beneath the surface of the skin and beneficially affect the underlying facial muscles.

4. That respondents' preparation "Skin Cleanser" will penetrate beneath the surface of the skin, or that its use will prevent coarse pores, pimples, blackheads, bad complexions, skin eruptions or rough skin texture.

5. That respondents' preparation "Skin Food Cream" or "Anti-wrinkle Cream," will nourish or feed the skin; or that said preparation is a tonic for the underlying nerves or will smooth out or prevent lines or wrinkles.

6. Using any designation for its product formerly known as "Skin Food Cream" and as "Anti-wrinkle Cream" which includes the word "Food."

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 41-3990; Filed, June 4, 1941;
11:30 a. m.]

[Docket No. 4260]

PART 3—DIGEST OF CEASE AND DESIST
ORDERS

IN THE MATTER OF COLONIAL DRUG COMPANY,
ET AL.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of*

product: § 3.6 (t) Advertising falsely or misleadingly—Results. Disseminating, etc., in connection with offer, etc., of respondents' medicinal preparation designated "Natural Mineral Extract", or any other substantially similar preparation, any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of said preparation, which advertisements represent, directly or through inference, (1) that said preparation constitutes a cure or remedy for, or possesses any therapeutic value in the treatment of eczema, acne, athlete's foot, burns, scalds, cuts, scratches, old sores, cold sores, sore swollen feet, infections, sore throat, tonsillitis, bleeding gums, fever blisters, enlarged prostate gland, hemorrhoids, insect bites or stings, indigestion, stomach or intestinal disorders, ulceration of the stomach, kidney or bladder disorders, high or low blood pressure, rheumatism, liver trouble, coughs, emaciation, boils or carbuncles; (2) that it possesses any germicidal, antiseptic or astringent properties; (3) that it has any therapeutic value as a tonic or blood purifier, or any therapeutic effect upon rundown conditions of the blood; (4) that it has any therapeutic value in the treatment of female disorders; and (5) that it constitutes a competent or effective treatment for ill-nourished, backward or defective children; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Colonial Drug Company, et al., Docket 4260, May 16, 1941]

In the Matter of Colonial Drug Company, a Corporation, and M. A. Younkman, Individually, as President of Colonial Drug Company, and Trading as Colonial Sales Company

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of May, A. D. 1941.

This proceeding having been heard¹ by the Federal Trade Commission upon the amended complaint of the Commission and the answer of the respondents, in which answer respondents admit all the material allegations of fact set forth in said complaint and state that they waive all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That respondents, Colonial Drug Company, a corporation, its officers, and M. A. Younkman, individually, and as President of Colonial Drug Company, and trading as Colonial Sales Company, or trading under any other name, respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale,

¹ 6 FR. 1109.

sale or distribution of their medicinal preparation designated "Natural Mineral Extract", or any preparation of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name, do forthwith cease and desist from directly or indirectly:

1. Disseminating or causing to be disseminated any advertisement by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents, directly or through inference.

(a) that said preparation constitutes a cure or remedy for, or possesses any therapeutic value in the treatment of eczema, acne, athlete's foot, burns, scalds, cuts, scratches, old sores, cold sores, sore swollen feet, infections, sore throat, tonsillitis, bleeding gums, fever blisters, enlarged prostate gland, hemorrhoids, insect bites or stings, indigestion, stomach or intestinal disorders, ulceration of the stomach, kidney or bladder disorders, high or low blood pressure, rheumatism, liver trouble, coughs, emaciation, boils, or carbuncles;

(b) that said preparation possesses any germicidal, antiseptic, or astringent properties;

(c) that said preparation has any therapeutic value as a tonic or blood purifier, or that it has any therapeutic effect upon rundown conditions of the blood;

(d) that said preparation has any therapeutic value in the treatment of female disorders;

(e) that said preparation constitutes a competent or effective treatment for ill-nourished, backward or defective children.

2. Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of said preparation, which advertisement contains any of the representations prohibited in Paragraph 1 hereof.

It is further ordered, That the respondents shall within sixty days after service upon them of this order file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 41-3991; Filed, June 4, 1941;
11:30 a. m.]

[Docket No. 4343]

PART 3—DIGEST OF CEASE AND DESIST
ORDERS

IN THE MATTER OF CAPITAL DRUG COMPANY

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of*

product: § 3.6 (x) Advertising falsely or misleadingly—Results: § 3.6 (y) Advertising falsely or misleadingly—Safety: § 3.71 (e) Neglecting, unfairly or deceptively, to make material disclosure—Safety. Disseminating, etc., in connection with offer, etc., of respondent's medicinal preparation known as "Mrs. Bee Femo Caps," or any other substantially similar preparation, any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of said preparation, which advertisements represent, directly or through inference, that said preparation is effective in obstinate, unnatural or suppressed cases of delayed menstruation or constitutes a competent or effective treatment therefor, that it does not cause the user any discomfort and that there is no risk involved in its use, or that it is safe or harmless; or which advertisements fail to reveal that the use of said preparation may cause gastro-intestinal disturbances and excessive congestion and hemorrhage of pelvic organs, and in the case of pregnancy may cause uterine infection and blood poisoning; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Capital Drug Company, Docket 4343, May 16, 1941]

In the Matter of Max Caplan, an Individual, Trading and Doing Business as Capital Drug Company

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of May, A. D. 1941.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of the respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint, and states that he waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, Max Caplan, individually, and trading as Capital Drug Company, or trading under any other name, his representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of his medicinal preparation known as "Mrs. Bee Femo Caps", or any other preparation of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name, do forthwith cease and desist from directly or indirectly:

1. Disseminating, or causing to be disseminated, any advertisement (a) by means of the United States mails or (b) by any means in commerce, as commerce is defined in the Federal Trade Commission Act, which advertisement

represents, directly or through inference, that said preparation is effective in obstinate, unnatural or suppressed cases of delayed menstruation or constitutes a competent or effective treatment for delayed menstruation; that said preparation does not cause the user any discomfort and that there is no risk involved in its use; or that said preparation is safe or harmless; or which advertisement fails to reveal that the use of said preparation may cause gastro-intestinal disturbances and excessive congestion and hemorrhage of pelvic organs, and in the case of pregnancy may cause uterine infection and blood poisoning;

2. Disseminating, or causing to be disseminated, any advertisement by any means for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase in commerce, as commerce is defined in the Federal Trade Commission Act, of said preparation, which advertisement contains any of the representations prohibited in Paragraph 1 hereof, or which fails to reveal that the use of said preparation may cause gastro-intestinal disturbances and excessive congestion and hemorrhage of pelvic organs, and in the case of pregnancy may cause uterine infection and blood poisoning.

It is further ordered, That the respondent shall within ten (10) days after service upon him of this order, file with the Commission an interim report in writing stating whether he intends to comply with this order, and, if so, the manner and form in which he intends to comply; and that within sixty (60) days after service upon him of this order, said respondent shall file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 41-3992; Filed, June 4, 1941;
11:30 a. m.]

TITLE 29—LABOR

CHAPTER I—SOCIAL SECURITY BOARD

PART 21—COOPERATION OF THE UNITED STATES EMPLOYMENT SERVICE AND STATE EMPLOYMENT AGENCIES

RESOLUTION OF THE SOCIAL SECURITY BOARD

Pursuant to the authority vested in it by the provisions of the Wagner-Peyser Act of June 6, 1933 (48 Stat. 113), as amended, and the provisions of the Reorganization Act of 1939 (Public, No. 19, 76th Congress, First Session), approved April 3, 1939, and of the Reorganization Plan No. 1, effective July 1, 1939, the Social Security Board:

Hereby amends § 21.2 of the Rules and Regulations prescribed under the Wagner-Peyser Act by the Social Security Board with the approval of the Federal

Security Administrator, dated August 30, 1940 (Part 21, Title 29, Code of Federal Regulations) by adding thereto the following new paragraph (j):

§ 21.2 Documents to be furnished by State Service.

(j) A statement that the State agency will promptly transmit to all offices of the state-wide system of public employment offices, in accordance with instructions from the Bureau of Employment Security of the Board, copies of all bulletins, memoranda, or other material relating to the state-wide system of public employment offices, received from the Bureau of Employment Security and designated for transmission to such offices.

And, hereby directs that the foregoing amendment of § 21.2 of said Rules and Regulations shall become effective August 1, 1941.

Adopted by the Social Security Board May 28, 1941.

[SEAL] A. J. ALTMAYER,
Chairman.

Approved, May 31, 1941.

W. B. MILLER,
Acting Federal Security
Administrator.

[F. R. Doc. 41-3976; Filed, June 3, 1941;
3:13 p. m.]

TITLE 30—MINERAL RESOURCES

CHAPTER III—BITUMINOUS COAL DIVISION

[Dockets No. A-618, A-700, A-711, A-713]

PART 327—MINIMUM PRICE SCHEDULE, DISTRICT NO. 7

MEMORANDUM OPINION AND ORDER GRANTING TEMPORARY RELIEF AND CONDITIONALLY PROVIDING FOR FINAL RELIEF IN THE MATTER OF THE PETITION OF C. W. DILLARD, A CODE MEMBER IN DISTRICT NO. 7, FOR THE ESTABLISHMENT OF ADDITIONAL CLASSIFICATIONS AND MINIMUM PRICES FOR SHIPMENT BY RAIL OF COALS PRODUCED AT THE DILLARD MINE, MINE INDEX NO. 627 [DOCKET NO. A-618]; IN THE MATTER OF THE PETITION OF DISTRICT BOARD NO. 7 FOR THE ESTABLISHMENT OF EFFECTIVE CLASSIFICATIONS AND MINIMUM PRICES FOR COALS FOR WHICH NO CLASSIFICATIONS AND MINIMUM PRICES HAVE HERETOFORE BEEN ESTABLISHED [DOCKET NO. A-700]; IN THE MATTER OF THE PETITION OF JAMES FRUIA, A CODE MEMBER IN DISTRICT NO. 7, FOR THE ESTABLISHMENT OF ADDITIONAL MINIMUM PRICES AND CLASSIFICATIONS FOR ALL SHIPMENTS FOR COALS PRODUCED AT HIS NORTH POLE MINE, MINE INDEX NO. 540 [DOCKET NO. A-711]; IN THE MATTER OF THE PETITION OF WINDLE COAL AND LUMBER COMPANY, A CODE MEMBER IN DISTRICT NO. 7, FOR THE ESTABLISHMENT OF ADDITIONAL PRICES AND CLASSIFICATIONS FOR COALS PRODUCED AT ITS WINDLE MINE, MINE INDEX NO. 713 [DOCKET NO. A-713]

For convenience, four proceedings instituted upon original petitions, pursuant

to section 4 II (d) of the Bituminous Coal Act of 1937, will be treated in this one opinion. The proceeding in Docket No. A-618 was instituted upon an original petition filed by C. W. Dillard, requesting the establishment of price classifications and effective minimum prices for coals produced at his Dillard mine, Mine Index No. 627, for all shipments except truck.

The proceeding in Docket No. A-700 was instituted upon an original petition filed by District Board No. 7, requesting the establishment of price classifications and minimum prices for the coals of certain mines in District 7 not heretofore classified and priced and also requesting that temporary relief be granted pending final disposition of this proceeding. For coals produced at Mine Index No. 627 of C. W. Dillard the District Board proposed the same price classification proposed in Docket No. A-618.

The proceeding in Docket No. A-711 was instituted upon an original petition filed on February 28, 1941, by James Fruia, requesting the establishment of a price classification for 1 1/4" nut and slack coal produced at his North Pole mine, Mine Index No. 540, for all shipments except truck, and a minimum price of \$1.95 for 1 1/4" nut and slack for truck shipments. The coals of this producer were not included in the petition of District Board No. 7 in Docket No. A-700.

The proceeding in Docket No. A-713 was instituted upon an original petition filed by Windle Coal and Lumber Company, requesting the establishment of additional price classifications and minimum prices for coals produced at its Windle mine, Mine Index No. 713, for all shipments. In Docket No. A-700 the District Board proposed the establishment of a "B" classification for the Size Group 16 coals produced at this mine for all shipments except truck and a minimum price of \$2.15 per ton for the Size Group 4 coals produced at this mine for truck shipment.¹

Upon notice to all interested persons, an informal conference concerning temporary relief was held in Washington, D. C., on March 19, 1941. Only District Board No. 7 appeared. It was afforded full opportunity to express its views regarding the temporary relief requested.

The District Board represented that the price classifications proposed for the coals produced at Mine Index No. 627 of C. W. Dillard, for all shipments except truck, are proper and are the same as those previously proposed for comparable and analogous coals.

The District Board proposed a classification of "C" for Size Group 7 coal pro-

duced by Slab Fork Coal Company. It was represented that although other mines similarly situated are classified "B", this is a newly opened seam which produces a soft, friable coal and that the softer structure of the coal produced at this mine for the present justifies the "C" classification. It, therefore, appears that in Size Group 7 this coal should be classified "C".

The District Board proposed a classification of "D" for the Size Group 22 coals produced at the Long Branch mine (Mine Index No. 106) of the Koppers Coal Company. However, it appears that Koppers Coal Company has instituted proceedings in Docket No. A-688 requesting a reclassification of its coals in several size groups, including Size Group 22, and that a hearing therein was held on March 31, 1941. Accordingly, no temporary relief will be granted in this proceeding, and the matter will be left for determination in Docket No. A-688.

It was represented that James Fruia does not at present have any railway loading facilities. It appears, therefore, that no minimum prices should be established for his coals for rail shipment. It was further represented that the proper minimum price for his coals in Size Group 5 for truck shipment is \$1.90.

Although Windle Coal and Lumber Company requested the establishment of price classifications for all 27 size groups, it was represented that this Company produces only coals in Size Groups 15, 16, 20, and 21 for all shipments except truck, and that such coals should be classified "B" in Size Groups 15 and 16 and "C" in Size Groups 20 and 21. It was further represented that for truck shipments the coals produced at this mine should be given the following minimum prices:

Size group	3	4	5	6
Price	2.90	2.15	1.90	1.85

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT No. 7

NOTE: The material contained in this Supplement R is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 327, Minimum Price Schedule for District No. 7 and Supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 327.11 Low volatile coals: Alphabetical list of code members—Supplement R-I

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine Index No.	Code member	Mine name	Subdist. No.	Low volatile seam	Freight origin group No.	Price classifications by size group Nos.									
						1	2	3	4	5	6	7	8	9	10
627	Dillard, C. W.	Dillard	3	Poca. #3	20	B	B	A	A	A	B	B	D	D	D
76	Greenwood Coal Company	Greenwood	2	Fire Creek	10	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	B
99	Laurel Creek Coal Company	Laurel	2	Fire Creek	10	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	B
227	Slab Fork Coal Company	#8	5	Poca. #4	14	(†)	(†)	(†)	(†)	(†)	(†)	C	(†)	(†)	(†)

*Indicates coal in this size group previously classified and priced.
†Indicates no classifications effective for these size groups.

¹ In both proceedings the minimum price requested for coal in Size Group 4 produced at this mine for truck shipment is \$2.15.

The District Board represented that the price classifications and minimum prices proposed in Docket No. A-700 are the same as those heretofore established for comparable and analogous coals, and that they should be made effective immediately in order to permit the producers in question to market their coals.

The Director finds that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth, and deeming his action necessary in order to effectuate the purposes of the Act;

Now, therefore, it is ordered, That temporary relief is granted as follows: Commencing forthwith § 327.11 (*Low volatile coals: Alphabetical list of code members*) is amended by adding thereto Supplement R-I, § 327.21 (*High volatile coals: Alphabetical list of code members*) is amended by adding thereto Supplement R-II and § 327.34 (*General prices in cents per net ton for shipment into any market area*) is amended by adding thereto Supplement T, which supplements dated May 16, 1941, are hereinafter set forth.

It is further ordered, That pleadings in opposition to the original petitions in the above-entitled matters, and applications to stay, terminate, or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the temporary relief granted herein shall become final sixty (60) days from the date of this Order unless the Director shall otherwise order.

Dated: May 16, 1941.

[SEAL]

H. A. GRAY,
Director.

§ 327.21 High volatile coals: Alphabetical list of code members—Supplement R-II

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Sub-dist. No.	High volatile seam	Freight origin group No.	Price classifications by size group Nos.																	
					For destinations other than Great Lakes									For Great Lakes cargo only								
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
712	Thompson, L. D.				(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
713	Windle, J. G. (Windle Coal & Lumber Co.)	Painter Mt. Windle			(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)

*Indicates no classifications effective for these size groups.

FOR TRUCK SHIPMENTS

§ 327.34 General prices in cents per net ton for shipment into all market areas—Supplement T

Sub-dist. No.	Code member index	Mine	County	Seam	All lump 3/4" or larger, all size and stove	All nut or pea 1 1/4" top	Screened M/R	Straight mine run	1 1/4" screenings	3/4" screenings
2	Cook, John W. & Lee E. Osborne (John W. Cook).	Cook	Raleigh	Beckley	315	250	280	215	195	190
4	Fruta, Jim	North Pole	McDowell	Sewell	290	250	280	215	190	185
1	Hines, W. L. (Hines Smokeless Coal Co.)	Hines	Greenbrier	Sewell	290	250	280	215	190	185
1	Pasley, Thos. E.	Pasley	Greenbrier	Sewell	290	250	280	215	190	185
1	Pitzenbarger, D. E.	Ethel #2	Greenbrier	Sewell	290	250	280	215	190	185
5	Sexton, Ed	Sexton	Raleigh	Fire Creek	315	250	280	215	195	190
5	Slab Fork Coal Company	#8	Raleigh	Poca #4	290	250	280	215	195	190
2	Thompson, L. D.	Painter Mt.	Raleigh	Lit. Eagle	290	250	280	215	195	190
2	Windle, J. G. (Windle Coal & Lumber Co.)	Windle	Payette	Eagle	290	250	280	215	190	185

*Indicates coal in this size group previously classified and priced.

[F. R. Doc. 41-3968; Filed, June 3, 1941; 10:12 a. m.]

[Docket No. A-509]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

ORDER OF THE DIRECTOR GRANTING PERMANENT RELIEF IN THE MATTER OF THE PETITION OF RED ASH SMOKELESS COAL COMPANY, A PRODUCER IN DISTRICT NO. 8, FOR A CHANGE IN CLASSIFICATION OF ITS RED ASH MINE FROM LOW VOLATILE TO HIGH VOLATILE

An original petition having been filed with the Bituminous Coal Division on December 21, 1940, by the Red Ash Smokeless Coal Company, a code member in District 8, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting a reclassification of the coals produced at its Red Ash Mine (Mine Index No. 389); and

An intervening petition having been filed herein on January 4, 1941, by the Panther Red Ash Coal Corporation, a code member in District 8, supporting the original petition and requesting the same

relief for its Douglas Mine (Mine Index No. 176); and

A hearing having been held in this matter, after due notice to all interested persons, before a duly designated Examiner of the Division at hearing rooms of the Division 734 15th Street NW., and the Washington Hotel, Washington, D. C., on January 30 and February 25, 1941, at which all interested parties were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard; and

The preparation and filing of a report by the Examiner having been waived and the matter thereupon having been submitted to the Director; and

The Director having made Findings of Fact and Conclusions of Law and having rendered an Opinion in this matter, which are filed herewith:

It is ordered, That § 328.11 (Alphabetical list of code members—High volatile coals) is amended by adding thereto, the

: Not filed as part of the original document.

code members and mine names and establishing the classifications thereof, as hereinafter set forth in Schedule I, made a part hereof, and by deleting from

§ 328.21 (*Alphabetical list of code members—Low Volatile coals*) the classifications now effective for such code members.

HIGH VOLATILE COALS

§ 328.11 *Alphabetical list of code members*

NOTE: The material in this Supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8 and Supplements thereto.

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	Sub- dist. No.	High volatile seam	Freight origin group No.	Price classifications by size group Nos.																							
						For destinations other than Great Lakes												For Great Lakes cargo only											
						1, 2	3, 4	5, 6	7	8	9	10	11, 12, 13, 14	15, 16, 17, 18	19, 20, 21	22	23	24	25	26	27	1, 2, 3, 4, 5, 6, 7	8	9	10, 16, 17, 20, 21	18, 19, 20, 21	22	23	24
176 389	Panther Red Ash Coal Corporation Red Ash Smokeless Coal Company	Douglas Red Ash	8 8	Douglas Douglas	130 130	H H	H H	D D	C C	A A	A A	A A	A A	F F	F F	F F	F F	F F	F F	F F	F F	F F	F F	F F	F F	F F	F F	F F	

* Indicates no classifications effective for these size groups.

NOTE: Mine Index Nos. 176 and 389 listed herein shall be deleted from the Low Volatile section of Appendix A-8.

[F. R. Doc. 41-3969; Filed, June 3, 1941; 10:13 a. m.]

Notices

WAR DEPARTMENT.

[Change Order No. A]

SUMMARY OF CHANGE ORDER¹ TO COST-PLUS-A-FIXED-FEE CONTRACT² No. W 6134 QM-4, DATED SEPTEMBER 17, 1940, FOR THE CONSTRUCTION OF A COMPLETE TENT AND CANTONMENT CAMP AT CAMP LIVINGSTON, NEAR ALEXANDRIA, LOUISIANA

CONTRACTORS: S. & W. CONSTRUCTION COMPANY, 953 SHRINE BUILDING, MEMPHIS, TENNESSEE; H. N. RODGERS & SONS CO., 62 SOUTH FRONT STREET, MEMPHIS, TENNESSEE; FORCUM-JAMES COMPANY, 628 DERMON BUILDING, MEMPHIS, TENNESSEE

Pursuant to the authority vested in the Contracting Officer under Article I of the contract above described, you, as

¹ Approved by the Under Secretary of War May 12, 1941.
² 6 F.R. 1487.

contractor, are hereby directed to perform the work and services indicated below.

Add the work listed herein to the description of the work now set forth in Article I of the principal contract.

Omit the work listed herein from the description of the work now set forth in Article I of the principal contract.

The above will result in a net increase in the estimated construction cost and Contractors' Fixed-Fee as follows:

Increase the estimated construction cost by.....	\$2,822,574
Total estimated cost, after deductions indicated above of \$873,474 including this change order.....	7,065,229
Total fixed-fee including this change order.....	225,510
Increase in construction contractors' fixed fee.....	69,805

Funds are available under Procurement Authority No. QM 7573 PJ-3211 A 0540.068-N.

JOHN W. N. SCHULZ,
Brigadier General, U. S. Army,
Director of Purchases and Contracts.

[F. R. Doc. 41-3979; Filed, June 4, 1941; 9:48 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

STATEMENT OF THE DIRECTOR CONCERNING THE TERM "VERIFIED" USED IN CONNECTION WITH STATEMENTS SUBMITTED TO THE DIVISION BY CODE MEMBERS, SALES AGENTS OR DISTRIBUTORS

Inquiries have been made of the Division concerning the interpretation of the term "verified" as used in orders, rules and regulations, price instructions and exceptions, and other instructions promulgated by the Division, pursuant to the Bituminous Coal Act of 1937, as extended. The term frequently appears in connection with provisions relating to reports and documents required to be submitted to the Division by code members, sales agents and distributors.

The term "verified" appearing in orders, rules and regulations, price instructions and exceptions and other instructions in qualification of any statement or document, means that the signer thereof should append a formal recitation *sworn to under oath* concerning the truth and accuracy of the contents of such statement or document, for example, as follows:

It is further ordered, That the relief prayed for herein by original and intervening petitioners be and it is hereby granted to the extent set forth above, and

[SEAL]

H. A. GRAY,
Director.

John Doe, being duly sworn, says that he is the President of X Company; that he has read the foregoing statement and knows the contents thereof; and that the allegations, declarations, and data contained therein are true and complete.

Subscribed and sworn to before me this _____ day of _____
John Doe

(Notary's signature and seal)

Dated: June 2, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 41-3983; Filed, June 4, 1941; 10:22 a. m.]

[Docket No. A-369]

PETITION OF DISTRICT BOARD 14 TO AMEND THE PRICE SCHEDULES FOR DISTRICT NO. 14 BY THE ESTABLISHMENT OF SIZE GROUPS 24 AND 25, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

ORDER POSTPONING HEARING

The original petitioner having requested by telegram, and interveners, District Board Nos. 7 and 10, having

moved that the hearing in the above-entitled matter, heretofore scheduled for June 2, 1941, should be postponed until various other dates in June, and good cause having been shown why such hearing should be postponed;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be postponed from 10 o'clock in the forenoon of June 2, 1941, until 10 o'clock in the forenoon of June 11, 1941, at the place heretofore designated and before the officers previously designated to preside at said hearing.

The time for filing petitions of intervention in the above-entitled matter is hereby extended until June 6, 1941.

Dated: May 31, 1941.

[SEAL]

DAN H. WHEELER,
Acting Director.

[F. R. Doc. 41-3982; Filed, June 4, 1941;
10:22 a. m.]

[Docket No. A-652]

PETITION OF THE JACKSON IRON AND STEEL COMPANY, THE GLOBE IRON COMPANY AND THE MCKITTERICK COAL COMPANY FOR A REDUCTION IN THE MINIMUM PRICES IN SIZE GROUPS 7 AND 8 FOR SHIPMENT VIA RAIL INTO MARKET AREAS 15, 17, 18, AND 19, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

ORDER POSTPONING HEARING

The original petitioner having moved that the hearing in the above-entitled matter heretofore scheduled for June 2, 1941, should be postponed and having shown good cause why said motion should be granted;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be postponed from 10 o'clock in the forenoon of June 2, 1941, until 10 o'clock in the forenoon of July 7, 1941, at the place heretofore designated and before the officer previously designated to preside at such hearing.

The time for filing petitions of intervention in the above-entitled matter is hereby extended until July 1, 1941.

Dated: May 31, 1941.

[SEAL]

DAN H. WHEELER,
Acting Director.

[F. R. Doc. 41-3980; Filed, June 4, 1941;
10:22 a. m.]

[Docket No. A-697]

PETITION OF DISTRICT BOARD 14 FOR PERMISSION TO THE CODE MEMBERS IN DISTRICT NO. 14 TO ALLOW FROM THE EFFECTIVE MINIMUM PRICES FOR THEIR DOMESTIC COALS CERTAIN SEASONAL DISCOUNTS UPON SHIPMENTS DURING THE MONTHS OF JUNE, JULY AND AUGUST, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

ORDER POSTPONING HEARING

The original petitioner having requested by telegram, and interveners,

District Board Nos. 7 and 10, having moved that the hearing in the above-entitled matter, heretofore scheduled for June 4, 1941, should be postponed until various other dates in June, and good cause having been shown why such hearing should be postponed;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be postponed from 10 o'clock in the forenoon of June 4, 1941, until 10 o'clock in the forenoon of June 10, 1941, at the place heretofore designated and before the officers previously designated to preside at said hearing.

The time for filing petitions of intervention in the above-entitled matter is hereby extended until June 6, 1941.

Dated: May 31, 1941.

[SEAL]

DAN H. WHEELER,
Acting Director.

[F. R. Doc. 41-3981; Filed, June 4, 1941;
10:22 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order No. 594]

ALLOCATION OF FUNDS FOR LOANS

MAY 28, 1941.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project Designation:	Amount
Maine 1013A2 Hancock-----	\$17,000

[SEAL]

HARRY SLATTERY,
Administrator.

[F. R. Doc. 41-3987; Filed, June 4, 1941;
11:24 a. m.]

DEPARTMENT OF COMMERCE.

Civil Aeronautics Authority.

[Docket No. 579]

IN THE MATTER OF THE APPLICATION OF WESTERN AIR EXPRESS CORPORATION FOR AMENDMENT OF ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY UNDER SECTION 401 (h) OF THE CIVIL AERONAUTICS ACT OF 1938, AS AMENDED

NOTICE OF HEARING¹

The above-entitled proceeding, being the application of Western Air Express Corporation for amendment of its certificate of public convenience and necessity to reflect the change in name to Western Air Lines, Inc., is hereby assigned for public hearing on June 23, 1941, 10:00 o'clock a. m. (Eastern Standard Time), in room 7856, Commerce Building, 14th Street and Constitution Ave.

¹ Issued by the Civil Aeronautics Board.

NW., Washington, D. C., before Examiner Lawrence J. Kusters.

Dated Washington, D. C., June 2, 1941.
By the Board.

[SEAL]

THOMAS G. EARLY,
Secretary.

[F. R. Doc. 41-3978; Filed, June 4, 1941;
9:48 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES FOR THE EMPLOYMENT OF LEARNERS UNDER THE FAIR LABOR STANDARDS ACT OF 1938

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective June 5, 1941.

The employment of learners under these Certificates is limited to the terms and conditions as designated opposite the employer's name. These Certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The Certificates may be cancelled in the manner provided for in the Regulations and as indicated on the Certificate. Any person aggrieved by the issuance of these Certificates may seek a review or reconsideration thereof.

NAME, AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE

G. A. Shook Manufacturing Company, Albuquerque, New Mexico; Chimayo material woven from a 2 ply yarn and 4 ply yarn; 2 learners; 960 hours for any one learner; 22½¢ per hour; Weaver-Hand Loom; December 16, 1941.

Signed at Washington, D. C., this 4th day of June 1941.

GUSTAV PECK,
Authorized Representative
of the Administrator.

[F. R. Doc. 41-3988; Filed, June 4, 1941;
11:28 a. m.]

NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES FOR THE EMPLOYMENT OF LEARNERS UNDER THE FAIR LABOR STANDARDS ACT OF 1938

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under

section 6 of the Act are issued under Section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829). Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective June 5, 1941. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS, AND EXPIRATION DATE

American Pants Manufacturing Company, 304 East Main Street, Carbondale, Illinois; Apparel; Single Pants; 25 learners (75% of the applicable hourly minimum wage); September 18, 1941.

Central Wash Suit Company, Inc., 116 North Broad Street, Peekskill, New York; Apparel; Children's Outerwear, Washable Service Apparel, Blouses; 10 learners (75% of the applicable hourly minimum wage); October 2, 1941.

Diorio Dress Company, Inc., 550 East 239th Street, Bronx, New York; Apparel; Housecoats; 5 learners (75% of the applicable hourly minimum wage); June 5, 1942.

Freeland Dress Company, 721 Birkbeck Street, Freeland, Pennsylvania; Apparel; Dresses; 20 learners (75% of the applicable hourly minimum wage); September 18, 1941.

Mrs. R. Gebel's Home Made Apron Company, 342 North Water Street, Milwaukee, Wisconsin; Apparel; Aprons; 3 learners (75% of the applicable hourly minimum wage); June 5, 1942.

Rosenau Brothers, Inc., West Patterson Street, Lansford, Pennsylvania; Apparel; Children's Dresses; 5 percent (75% of the applicable hourly minimum wage); June 5, 1942.

Royal Manufacturing Company, Washington, Georgia; Apparel; Men's Shorts, Cotton Pants, Sport Shirts; 15 learners (75% of the applicable hourly minimum wage); October 2, 1941.

S & F Sportwear Company, 197 Vrooman Avenue, Amsterdam, New York; Apparel; Leather Jackets; 5 learners (75% of the applicable hourly minimum wage); June 5, 1942.

Southern Garments, Inc., South Towers Street, Anderson, South Carolina; Apparel; Men's Raincoats & Loafer Coats; 22 learners (75% of the applicable hourly minimum wage); August 14, 1941.

Sunshine Clothing Manufacturing Company, Inc., 210 West Commerce Street, San Antonio, Texas; Apparel; Trousers; 10 percent (75% of the applicable hourly minimum wage); August 28, 1941.

Town Talk Manufacturing Company, 445 Baxter Avenue, Louisville, Kentucky; Apparel; Caps; 4 learners (75% of the applicable hourly minimum wage); October 2, 1941.

Arrowhead Fashion Mills, E. 50th & Covington Street, Chattanooga, Tennessee; Hosiery; Full fashioned hosiery; 5 percent; June 5, 1942.

Sulloway Hosiery Mills, River Street, Franklin, New Hampshire; Hosiery; Seamless & Full fashioned hosiery; 15 learners; February 5, 1942.

Traylor Corporation, New Braunfels, Texas; Hosiery; Full fashioned hosiery; 5 learners; February 5, 1942.

South Boston Weaving Corporation, Noblin Street, South Boston, Virginia; Textile; Cotton, Silk & Rayon; 3 learners; June 5, 1942.

Bradford County Telephone Company, 45 Owen Street, Forty Fort, Pennsylvania; Independent Branch of the Telephone Industry; to employ learners as indicated in the Telephone Order as commercial and switchboard operators at its Towanda Exchange until June 5, 1942.

Wells Lamont Smith Corporation, McMinnville, Oregon; Gloves; Work Gloves; 20 learners; December 5, 1941.

Wells Lamont Smith Corporation, Burlington, Iowa; Gloves; Work Gloves; 10 learners; December 5, 1941.

Wells Lamont Smith Corporation, Elsberry, Missouri; Gloves; Work Gloves; 10 learners; December 5, 1941.

Evenknot Hosiery Mills, 108 N. Walnut Street, Bay City, Michigan; Hosiery; Full fashioned hosiery; 5 percent; June 5, 1942.

Ingle Full Fashion Hosiery Mill, Inc., Gibsonville, N. C.; Hosiery; Full fashioned hosiery; 12 learners; February 5, 1942.

Millfay Manufacturing Company, 22 Fay Street, Buffalo, New York; Hosiery; Full fashioned hosiery; 5 percent; February 5, 1942.

Signed at Washington, D. C., this 4th day of June 1941.

GUSTAV PECK,
Authorized Representative
of the Administrator.

[F. R. Doc. 41-3989; Filed, June 4, 1941; 11:28 a. m.]

FEDERAL POWER COMMISSION.

IN THE MATTER OF IOWA UNION ELECTRIC COMPANY

ORDER POSTPONING HEARING

JUNE 3, 1941.

It appearing to the Commission that: Good cause has been shown for postponement of the hearing in this proceeding;

The Commission orders that: The hearing in this proceeding heretofore set to commence on June 9, 1941, be and it is hereby postponed until June 23, 1941, at 9:45 a. m. in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 41-3977; Filed, June 4, 1941; 9:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 4-21 and 37-7]

IN THE MATTER OF NEW ENGLAND POWER ASSOCIATION, NEW ENGLAND POWER SERVICE COMPANY, BELLOWS FALLS HYDRO-ELECTRIC CORPORATION, GREEN MOUNTAIN POWER CORPORATION

ORDER GRANTING CONTINUANCE

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 31st day of May, A. D. 1941.

The Commission on May 22, 1941 issued its Order to Show Cause under Section 13 of the Public Utility Holding Company Act of 1935 directed to the above named respondents, wherein it was ordered that New England Power Service Company file its answer on or before June 5, 1941 and that the hearing upon the issues raised in said order commence on the 12th day of June 1941; and

The respondents for good cause shown having requested a continuance with respect to the foregoing matters:

It is ordered, That the time within which New England Power Service Company may file its answer is extended to June 16, 1941 and that the hearing in the above matter be and the same hereby is continued until June 23, 1941.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-3994; Filed, June 4, 1941; 11:32 a. m.]

[File No. 70-325]

IN THE MATTER OF THE NORTH AMERICAN COMPANY

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 2nd day of June, A. D. 1941.

The North American Company, a registered holding company, having filed a declaration pursuant to the Public Utility Holding Company Act of 1935, particularly section 12 (d) thereof and Rule U-44 thereunder regarding a proposed distribution on or about July 1, 1941, in payment of a dividend on its common stock, of not more than 155,000 shares of the Capital Stock of The Detroit Edison Company; and

Said declaration having been filed on May 24, 1941, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 under said Act, and the Commission not having received a request for hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and The North American Company having requested that said declaration as filed become effective forthwith; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective pursuant to said section 12 (d) and said Rule U-44, and being satisfied that the effective date of said declaration should be advanced;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24 that the aforesaid declaration be and the same is hereby permitted to become effective forthwith.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-3995; Filed, June 4, 1941;
11:32 a. m.]

[File No. 31-507]

IN THE MATTER OF VIRGINIA ELECTRIC AND POWER COMPANY, AND

[File No. 31-506]

GULF STATES UTILITIES COMPANY

ORDER DENYING APPLICATIONS FOR DECLARATION OF STATUS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 3d day of June, A. D. 1941.

Virginia Electric and Power Company and Gulf States Utilities Company having filed applications requesting orders pursuant to section 2 (a) (4) of the Public Utility Holding Company Act of 1935 declaring them not to be gas utility companies; the Commission having been fully advised, and having this day issued and filed its Findings and Opinion herein;

It is ordered, That the applications of Virginia Electric and Power Company and Gulf States Utilities Company, filed pursuant to section 2 (a) (4) of the Public Utility Holding Company Act of 1935, be and they hereby are denied.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-3996; Filed, June 4, 1941;
11:32 a. m.]

[File No. 59-17]

IN THE MATTER OF THE UNITED LIGHT AND POWER COMPANY, THE UNITED LIGHT AND RAILWAYS COMPANY, AMERICAN LIGHT & TRACTION COMPANY, CONTINENTAL GAS & ELECTRIC CORPORATION, UNITED AMERICAN COMPANY, AND IOWA-NEBRASKA LIGHT & POWER COMPANY, RESPONDENTS, AND

[File No. 54-25]

THE UNITED LIGHT AND POWER COMPANY, APPLICANT

NOTICE OF FILING OF RESPONDENTS' APPLICATION NO. 2 AND APPLICATION NO. 3

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 3d day of June, A. D. 1941.

The Commission having previously, by order entered in these proceedings on March 20, 1941, ordered among other things the dissolution of The United Light and Power Company, and said order having provided that the respondents should make application to the Commission for the entry of such further orders as were necessary or appropriate for that purpose, and the Commission having reserved jurisdiction to enter such further orders as might be necessary or appropriate with respect to other matters in this proceeding;

Notice is hereby given that The United Light and Power Company has filed on May 31, 1941, an application designated as "Application No. 2" with respect to the purchase in the open market and by private purchase for cash at prices (exclusive of commissions) not in excess of the principal amount thereof, at an aggregate cost not in excess of \$3,000,000 of any or all of the following classes of its debentures:

The United Light and Railways Company (Maine) 6% Debenture Bonds, Series A, due Jan. 1, 1973. (Assumed by The United Light and Power Company.)

Debentures, Series of 1924, 6½%, due May 1, 1974.

Debentures, 6% Series of 1925, due Nov. 1, 1975.

Applicant further proposes to acquire from La Porte Gas and Electric Company, a directly owned subsidiary, \$190,100 principal amount of the said 6% assumed debentures due 1973, for cash at the principal amount thereof plus accrued interest.

Notice is hereby also given that La Porte Gas and Electric Company, a directly owned subsidiary of The United Light and Power Company, has filed on May 31, 1941 an application designated as "Application No. 3" with respect to the sale to The United Light and Power Company at a price equal to the principal amount thereof, plus accrued interest thereon, \$190,100 principal amount of the 6% assumed debentures, Series A, due January 1, 1973. The debentures which La Porte Gas and Electric Company proposes to sell to The United Light and Power Company were acquired between the years 1924 to 1931, inclusive, at an aggregate cost of \$181,556.75; said bonds having been purchased for a Special Depreciation Fund created pursuant to an order of the Public Service Commission of Indiana on December 22, 1920 and modified by order of said Commission on September 29, 1939.

Notice is further given that any interested person may, not later than June 12, 1941 at 4:30 P. M., E. S. T., or 1:00 P. M., E. S. T., if such date be a Saturday, request the Commission in writing that the hearing herein be reconvened for the purpose of taking testimony or hearing the parties with respect to said Application No. 2 or said Application No. 3. Such request shall state the reasons therefor and the nature of the interest of the person making such request. Any person may request that he be notified if the Commission should order said hearing reconvened as aforesaid. At any time thereafter said Application No. 2 and said Application No. 3, or either of them, as filed or as amended, may be granted. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D. C.

All interested persons are referred to said Applications, which are on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized above.

The applicants have requested that orders be entered granting said Applica-

tions within 15 days after the filing date, or by June 15, 1941.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-3993; Filed, June 4, 1941;
11:32 a. m.]

UNITED STATES CIVIL SERVICE COMMISSION.

CONDITION OF THE APPORTIONMENT AT
CLOSE OF BUSINESS SATURDAY, MAY 31,
1941

Important. Although the apportioned classified Civil Service is by law located only in Washington, D. C., it nevertheless includes only about half of the Federal Civilian positions in the District of Columbia. Positions in local post offices, customs districts and other field services outside of the District of Columbia which are subject to the Civil Service Act are filled almost wholly by persons who are local residents of the general community in which the vacancies exist. It should be noted and understood that so long as a person occupies, by original appointment, a position in the apportioned service, the charge for his appointment continues to run against his State of original residence. Certifications of eligibles are first made from states which are in arrears.

State	Number of positions to which entitled	Number of positions occupied
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IN ARREARS

1. Virgin Islands.....	12	0
2. Puerto Rico.....	870	45
3. Hawaii.....	197	21
4. California.....	3,215	1,083
5. Alaska.....	34	12
6. Texas.....	2,985	1,411
7. Louisiana.....	1,100	535
8. Michigan.....	2,446	1,269
9. Arizona.....	232	128
10. South Carolina.....	884	524
11. Kentucky.....	1,324	841
12. New Mexico.....	248	159
13. Georgia.....	1,454	935
14. Mississippi.....	1,016	655
15. Alabama.....	1,318	869
16. Arkansas.....	907	615
17. North Carolina.....	1,662	1,132
18. Ohio.....	3,215	2,229
19. Nevada.....	51	37
20. New Jersey.....	1,935	1,405
21. Tennessee.....	1,357	1,094
22. Florida.....	883	736
23. Oklahoma.....	1,087	972
24. Illinois.....	3,675	3,315
25. Indiana.....	1,595	1,439
26. Idaho.....	244	227
27. Wisconsin.....	1,460	1,386
28. Oregon.....	507	489
29. Washington.....	868	786
30. West Virginia.....	885	863
31. Delaware.....	124	121

IN EXCESS

32. New York.....	6,273	6,288
33. Minnesota.....	1,300	1,326
34. Missouri.....	1,761	1,808
35. Pennsylvania.....	4,607	4,736
36. Connecticut.....	795	820
37. Vermont.....	167	173
38. Colorado.....	523	545
39. New Hampshire.....	229	241

State	Number of positions to which entitled	Number of positions occupied
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IN EXCESS—Continued

40. Maine.....	394	419
41. Wyoming.....	117	125
42. Massachusetts.....	2,009	2,152
43. Iowa.....	1,181	1,269
44. Rhode Island.....	332	381
45. Utah.....	256	302
46. South Dakota.....	299	365
47. Montana.....	260	340
48. Kansas.....	838	1,152
49. Nebraska.....	612	859
50. North Dakota.....	299	436
51. Virginia.....	1,246	2,137
52. Maryland.....	848	2,270
53. District of Columbia.....	309	8,923

GAINS

By appointment.....	377
By transfer.....	30
By reinstatement.....	3
By correction.....	1
Total.....	411

LOSSES

By separation.....	85
By transfer.....	102
Total.....	188
Total appointments.....	62,390

NOTE: Number of employees occupying apportioned positions who are excluded from the apportionment figures under Sec. 3, Rule VII, and the Attorney General's Opinion of August 25, 1934, 18,490.

By direction of the Commission.

[SEAL] L. A. MOYER,
Executive Director
and Chief Examiner.

[F. R. Doc. 41-3975; Filed, June 3, 1941;
1:41 p. m.]

